

REMARKS

In the Office Action, claims 3-6 were objected to because of informalities. Claims 1 and 6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Barri (U.S. Pat. Pub. No. 2005/0014563).

In order for the Examiner's obviousness rejection against claim 1 to be sustained, it is not enough that the Examiner merely assert that a person of ordinary skill in the art would consider it obvious to combine a media file reader with the Barri invention so as to arrive at the invention of claim 1. The applicant submits that the Examiner must show that all features of claim 1 are at least disclosed in the citation together with some indication of a motivation for combining the features to arrive at the invention of claim 1.

In the absence of a teaching or at least a suggestion for a "media file reader" in the Barri citation, it cannot be reasonably expected of one of ordinary skill in the art to contemplate combining non-existent features to arrive at the invention of claim 1. The applicant submits that the Examiner has not met the onus of showing all features of claim 1 and therefore the rejection should be withdrawn.

In relation to independent claim 2, the Examiner has again stated that the Barri citation omits the feature of a “media file reader”. For the same reasons as submitted with respect to claim 1, this rejection cannot stand.

The Examiner has also referred to disclosures in paragraphs [0033], [0035] and [0036] of Barri in support of the obviousness rejection against claim 2. The applicant submits that there does not appear to be any explicit teaching or suggestion in any of paragraphs [0033], [0035] and [0036] of Barri (or anywhere else in the document) of the following feature of claim 2:

“...means...allowing only operational code from the first unit to be processed by the wireless signal receiver...”

In contrast, Barri merely refers to a means of identifying or resolving which player is the first to “buzz in” during the course of a game play, but, is arguably silent in regard to allowing only operational code from that player’s control unit to be processed by the wireless signal receiver. Moreover, this feature would appear to play an important role given that if operational codes from multiple players are allowed to be processed by the wireless receiver simultaneously, then this may result in game processing conflicts and errors.

By virtue of their dependency on claim 2, claims 3, 4, 5 and 6 should also be considered non-obvious.

In raising an obviousness rejection against claim 7, the Examiner has specifically referred to disclosures at lines 8-16 in paragraph [0035] of the Barri citation and Fig. 4. The Examiner has also rather vaguely surmised that:

...it is apparent to Examiner that according to the teaching of Barri that if the signal is detected to determine the first control operation from the controls, it would be used as well at subsequent operations.

The applicant submits that the disclosures referred to by the Examiner in the Barri citation plainly do not disclose all features of claim 7 let alone provide any teachings or suggestions as to why one of ordinary skill in the art would even contemplate the combination of such features so as to arrive at the invention of claim 7. Moreover, whilst it may be apparent to the Examiner that the first control operation may be used for subsequent operations, the Examiner has not provided any basis for asserting that this would be obvious to one of ordinary skill in the art.

The applicant submits that the disclosures in Barri do not appear to provide a consistent and coherent teaching that the video files on the DVD disc would be

located at specified addresses and in fact, certain disclosures in Barri would appear to teach away from such an arrangement as required by the invention of claim 8.

For instance, paragraph [0050] of the citation contemplates that after each question of a trivia game is asked, a script may in some cases randomly pick a new trivia question (i.e. each new trivia question is presented in the form of a video file clip on the DVD). In this respect, there is no need for the video files to necessarily be addressed on the DVD disc at specific locations. It is also arguable as to whether the video files specifically must necessarily be addressed in specific locations on the DVD disc in order to configure and command the media file reader as the Examiner suggests. For instance, it is conceivable that a non-video file may be equally useful in configuring and commanding the media file reader and there is therefore no specific need or motivation to address the video files on the DVD disc at specific locations.

The Examiner has made a similar comment regarding claim 9 as was made in relation to claim 8 - that is, whilst the Examiner concedes that claim 9 appears to not expressly discuss the feature of video files being addressed at specified locations on the DVD disc, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the files at specific locations so as to have a specific address to configure and commend the file reader. Given the similarity

between the nature of this obviousness rejection and that raised against claim 8, similar arguments apply to overcome this rejection.

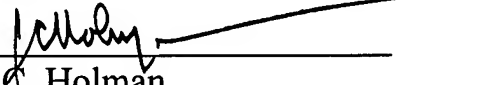
Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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